



**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

---

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

---

**Notice of Location Change**

**REGULAR CLOSED SESSION  
and  
REGULAR BUSINESS MEETINGS  
Tuesday, May 25, 2021  
*\*\*Virtual\*\****

Notice is hereby given that due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, the Regular Closed Session Meeting scheduled for 11:00 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., **will be conducted via webinar and teleconference only**. In compliance with said orders, a physical location will not be provided for these meetings. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

Dated: May 20, 2021



Rischa S. Cole  
Secretary of the District

This page is intentionally left blank.



**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

---

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

---

**AGENDA**  
**REGULAR CLOSED SESSION**

**Tuesday, May 25, 2021**

**11:00 a.m.**

**\*\*Virtual\*\***

**Location**

Due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

*Board members will participate by webinar or teleconference*

**\*\*\*Please see appendix for public participation instructions\*\*\***

**ROLL CALL:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

**ANNOUNCEMENT OF CLOSED SESSION AGENDA:**

1. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.
2. Conference with Labor Negotiators Gregory Ramirez and Jeff Bailey from the Industrial Employers Distributors Association; Clifford C. Chan, General Manager; Sophia D. Skoda, Director of Finance; Laura A. Acosta, Manager of Human Resources; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6: Employee Organizations International Union of Operating Engineers, Local 39; American Federation of State, County and Municipal Employees, Locals 444 and 2019; and International Federation of Professional & Technical Engineers, Local 21.
3. Personnel exception pursuant to Government Code section 54957 to consider selection for the position of General Counsel.
4. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): six matters.

*(The Board will discuss Closed Session agenda items via webinar or teleconference.)*

**REGULAR BUSINESS MEETING**

**1:15 p.m.**

**\*\*Virtual\*\***

**Location**

Due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

*Board members will participate by webinar or teleconference*

**\*\*\*Please see appendix for public participation instructions\*\*\***

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance

**ANNOUNCEMENTS FROM CLOSED SESSION:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

**CONSENT CALENDAR:** (Single motion and vote approving 14 recommendations.)

1. Approve the Regular Meeting Minutes of April 27, 2021 and May 11, 2021, and the Special Closed Session Meeting Minutes of May 14, 2021.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Garney Pacific, Inc., in an amount not to exceed \$19,001,000 for construction of the Castenada No. 1 & No. 2 Reservoirs Rehabilitation, Glen Reservoir Demolition, and Mulholland Reservoirs Roof Maintenance under Specification 2169.
4. Award a contract to the lowest responsive/responsible bidder, Ameritech Computer Services, Inc., for supplying printer, plotter, and desktop scanner repair services for two years, beginning on or after May 25, 2021 with three options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$140,000 under Request for Proposal No. PUR 105.
5. Authorize an agreement beginning on or after May 25, 2021 with American Truck & Trailer Body Co., Inc. in an amount not to exceed \$300,000 to retrofit existing dump truck batch gates.

**CONSENT CALENDAR:** (Continued)

6. Authorize an agreement beginning on or after June 21, 2021 with K.W. Emerson, Inc. in an amount not to exceed \$175,800 for paving replacement of the Pardee Center Administration Building parking area and walkway.
7. Authorize an agreement beginning on or after May 25, 2021 with MTS Training Academy, Inc. for three years with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$845,976 for Class A and Class B commercial driver license training and support in proctoring Class A commercial driver testing.
8. Authorize an agreement beginning July 1, 2021 with Pacific States Marine Fisheries Commission for five years for a total amount not to exceed \$2,170,000 for the marking, tagging, and recovery program for Chinook salmon and steelhead trout at the Mokelumne River Fish Hatchery, and the recovery and processing of coded-wire tags in California ocean fisheries.
9. Authorize actions related to tree trimming and related services.
  - 9a. Authorize agreements for tree trimming and related services beginning on or after May 25, 2021 for three years with two options to renew for additional one-year periods, in an aggregate amount, including option years, not to exceed \$5,500,000, with the following service providers: A Plus Tree, Inc.; Absolute Best Care; Arbor Products Ltd. dba Expert Tree Service; Arboricultural Specialties, Inc. dba The Professional Tree Care Co.; Arborist Now, Inc.; Arborwell, LLC dba Arborwell & SavATree; Arborworks, Inc.; Asomeo Environmental Restoration Industry, LLC; Bay Area Tree Specialists; Graham Tree Service, Inc.; Hamilton Tree Service, Inc.; Julia Cabrera dba Julian Tree Care; Quality Tree Care; Tree Service Unlimited, Inc.; and West Coast Arborists, Inc.
  - 9b. Authorize additional agreements, for tree trimming and related services, on an as-needed basis, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.
10. Authorize actions related to vehicle collision repair and glass replacement.
  - 10a. Authorize agreements for vehicle collision repair and glass replacement beginning on or after May 25, 2021 for three years with two options to renew for additional one-year periods, in an aggregate amount, including option years, not to exceed \$1,100,000 with the following service providers: Auto Glass Techs; Falcon Collision Repair; George V. Arth & Son; Maz Glass; Grand Collision Center, Inc.; and GlassTek.
  - 10b. Authorize additional agreements for vehicle collision repair and glass replacement, on an as-needed basis, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.

**CONSENT CALENDAR:** (Continued)

11. Authorize the District to pay a \$100,000 application fee to the U.S. Environmental Protection Agency for its Water Infrastructure Finance and Innovation Act loan program.
12. Take the following actions related to the proposed lease with FirstElement Fuel, Inc. (Lessee) for construction and operation of a hydrogen fueling station on the District's West End property:
  - 12.1. Consider the addendum to the 2011 Main Wastewater Treatment Plant Land Use Master Plan Environmental Impact Report (2011 EIR) for the FirstElement Fuel Hydrogen Fueling Station.
  - 12.2. Determine the proposed hydrogen fueling station lease would not cause environmental effects that were not analyzed in the 2011 EIR, that no further environmental review is required pursuant to California Environmental Quality Act Guidelines section 15162, and that the proposed lease falls within the scope of and is adequately described in the 2011 EIR.
  - 12.3. Authorize the execution of a ten-year land lease with Lessee, with one option to renew for an additional five-year lease term at the District's option, for approximately two acres of land located within the District's West End property to construct and operate a hydrogen fueling station.
13. Approve the Water Supply Assessment requested by the City of Berkeley for the 600 Addison Street Project, pursuant to California Water Code, Sections 10910-10915.
14. Approve the April 2021 Monthly Investment Transactions Report.

**DETERMINATION AND DISCUSSION:**

15. Conduct a second and final reading, and vote on an ordinance amending Section 21 and Section 41 of the EBMUD Employees' Retirement System Ordinance No. 40 to update the Mortality Tables and the minimum distribution age based on the Setting Every Community Up for Retirement Enhancement Act of 2019. (Second Reading and Vote – Ordinance No. 372-21)
16. General Manager's Report:
  - Coronavirus Update
  - 2021 Drought Update

**REPORTS AND DIRECTOR COMMENTS:**

17. Committee Reports:
  - Planning
  - Legislative/Human Resources
  - Finance/Administration
18. Other Items for Future Consideration.
19. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, June 8, 2021.***

**Disability Notice**

*If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.*

**Document Availability**

*Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

## BOARD CALENDAR

*The dates and times of future meetings are subject to change.*

Date	Meeting	Time/Location	Topics
<b>Tuesday, May 25</b>	<b>Finance/Administration Committee</b>	10:00 a.m. Virtual	<ul style="list-style-type: none"> <li>• Monthly Investment Transactions Report</li> <li>• Annual Update on Employees' Retirement System</li> <li>• Water Infrastructure Finance and Innovation Act Loan Application</li> </ul>
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Monday, May 31</b>	<b>Memorial Day</b>		<i>District Offices Closed</i>
<b>Tuesday, June 8</b>	<b>Planning Committee</b>	TBD Virtual	
	<b>Legislative/Human Resources Committee</b>	TBD Virtual	
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, June 22</b>	<b>Finance/Administration Committee</b>	TBD	
	<b>Board of Directors</b>	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>

### 2021 Board Committee Members

Finance/Administration	Patterson {Chair}, Coleman, Katz
Legislative/Human Resources	Coleman {Chair}, McIntosh, Patterson
Planning	Young {Chair}, McIntosh, Mellon
Sustainability/Energy	Young {Chair}, Katz, Mellon





---

**Closed Session and Regular Business Meetings**  
**Tuesday, May 25, 2021**  
**11:00 a.m. and 1:15 p.m.**

EBMUD public Board meetings will be conducted via Zoom.  
*Please note that Board meetings are recorded, live-streamed, and posted on the District's website.*

*Please visit this page beforehand to familiarize yourself with Zoom.*  
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Online

<https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09>

Webinar ID: 970 6508 6667

Passcode: 238500

By Phone

Telephone: 1 669 900 6833

Webinar ID: 970 6508 6667

Passcode: 238500

International numbers available: <https://ebmud.zoom.us/u/adMXn1VnPp>

**Providing public comment**

The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

If you wish to provide public comment please:

- Use the raise hand feature in Zoom to indicate you wish to make a public comment  
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
  - If you participate by phone, press \*9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic
- The Secretary will call each speaker in the order received
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will keep track of time and inform each speaker when the allotted time has concluded

**Submitting written comments or materials**

- Email written comments or other materials for the Board of Directors to [SecOffice@ebmud.com](mailto:SecOffice@ebmud.com)
- Please indicate the meeting date and agenda item number or non-agenda item in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

---

**To observe the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, please visit:** <https://www.ebmud.com/about-us/board-directors/board-meetings/>

---

This page is intentionally left blank.